

Board Meeting Minutes
April 27, 2010

The Alabama Board of Home Medical Equipment Services Providers met on Tuesday, April 27th, 2010, in Montgomery, Alabama at the Board office for the purpose of conducting Board business. Those in attendance were as follows: Lewis Fuller, Vice-Chair; Leigh Ann Matthews, Member; Mike Jones, Member; Diane Giddens, Member; Jonathan Temple, Sr., Member. Also present were Paula Scout McCaleb, Executive Director; Dana Billingsley, Legal Counsel; and Patrick Woodham, Licensing Agent. Those not present were Mike Benefield, Chair; John Beard, Member; Graham Sisson, Member; and Dr. Fred Hunker, Member.

The meeting was called to order at approximately 10:24 a.m. with a quorum present.

The meeting was advertised on the Board's web site as well as the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

A motion was made by Jonathan Temple, Sr. to accept the meeting Minutes from January 26, 2010, as presented. Mike Jones seconded the motion and the motion passed unanimously.

A motion was made by Leigh Ann Mathews to accept the proposed Rules and Regulations changes:

473-X-2-.01 Employees; Oath; Meeting; Powers.

- (1) The Board may employ an executive director, attorney, experts, and other employees as it may from time to time find necessary, for the proper performance of its duties, and for whom necessary funds are appropriated.
- (2) Before entering public duties of the office, the members of the board shall take the constitutional oath of office.
- (3) The Board shall elect, at the first meeting following October 1st each year, a Chair and a Vice Chair. The board shall hold at least two meetings each year. Additional meetings may be held at the discretion of the Chair or upon the written request of any three members of the board. Five members of the board shall constitute a quorum.
- (4) The board shall inspect and pass on the qualifications of applicants and shall issue a license to each successful applicant.
- (5) ~~Each member shall receive the same per diem and travel allowance as state employees for each day of attendance at an official meeting of the board.~~

~~(6)~~ (5) The board may authorize expenditures as necessary to carry out its duties from the fees that it collects, pursuant to a budget developed and adopted by the board and appropriated by the legislature. In no event shall the expenditures exceed the revenues of the board during any fiscal year.

~~(7)~~ (6) The Board may reimburse Board Members for attorney fees incurred if individual members of the Board are personally sued under the Open Meetings Act.

Dianne Giddens seconded the motion and the motion passed unanimously.

A motion was made by Jonathan Temple, Sr. to approve the Consent Order against Choice Healthcare. Dianne Giddens seconded the motion and the motion passed unanimously.

A motion was made by Leigh Ann Matthews to approve the expenditure for the 3rd Phase of the Billboards Campaign with Lamar Advertising. Jonathan Temple, Sr. seconded the motion and the motion passed unanimously.

There being no further Board business, a motion was made by Mike Jones to adjourn the meeting. Diane Giddens seconded the motion and the motion passed unanimously, the time being approximately 11:36 a.m. The Chair announced that the next meeting would be held July 27th, 2010, in the Montgomery Board Office.

Respectfully Submitted,

Mike Benefield, Chairman

Lewis Fuller, Vice Chair

Paula Scout McCaleb, Executive Director

Patrick Woodham, Licensing Agent serving as Recording Secretary